

Senate Bill No. 453—Prison Labor in Wicomico County

AN ACT to add a new Section 212 (e) to Article 89B of the Annotated Code of Maryland (1957 Edition and 1962 Supplement), title "State Roads," subtitle "Convict Labor," to follow immediately after Section 212 (d) thereof, providing for Wicomico County and the municipal corporations therein that the Board of Correction under certain circumstances shall supply prisoners to do work on projects for the ~~development, improvements, and maintenance~~ of public areas and of parks and recreation areas.

May 3, 1963.

Honorable William S. James
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

In accordance with the provisions of Article 2, Section 17, of the Maryland Constitution, I have vetoed Senate Bill 453 and am returning this Bill to you accompanied by my veto message.

Senate Bill 453 authorizes the State Board of Correction, at the request of the Board of County Commissioners of Wicomico County or at the request of any of the municipalities within Wicomico County, to furnish prisoners for work on public projects at no expense other than the cost of transportation.

Both the Commissioner of Correction and the Attorney General of Maryland have indicated that enactment of Senate Bill 453 would provide for a departure from established procedure in that it authorizes prison labor to be utilized at no expense to the county or municipality other than for transportation.

The State Commissioner of Correction has advised me that, under existing law, the Department of Correction is authorized, upon request, to furnish State prisoners to various county governments for county road work. He also has advised me that the Board of Public Works has directed that an assessment of seventy (70) cents per hour be levied against the County or municipality that employs such prison labor.

Section 713 of Article 27 provides that ". . . the County Roads Board shall refund to the Board of Correction all expenses of guarding, transporting and maintaining the State convicts when said convicts have been furnished for road work at the request of said County Roads Board."

Under the provisions of Senate Bill 453, neither the County nor any of its municipalities would be required to reimburse the Board of Correction for the expenses of guarding, lodging, feeding, clothing and providing medical attention for the convict laborers. Nor would there be a provision for wages.

Because of these reasons, and because enactment of this Bill could establish a precedent for other counties to do likewise, ultimately in-